

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent No. 7,130,697

Patentee: CHORNENKY, Victor, et al.

Date of Issue: October 31, 2006

Issuing from Application No. 10/668,775

Filed: September 23, 2003

Docket No.: M-002 CIP1/309,878

Customer No.: 76,147

Dated: September 23, 2008

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**PETITION UNDER 37 C.F.R. § 1.78(a)(6) TO ACCEPT UNINTENTIONALLY  
DELAYED CLAIM FOR BENEFIT UNDER 35 USC 119(e)**

Pursuant to 37 C.F.R. § 1.78(a)(6), applicant hereby petitions the Commissioner to accept his unintentionally delayed claim for the benefit under 35 USC 119(e) of a prior filed provisional application. The surcharge set forth in 37 C.F.R. § 1.17(t) is submitted herewith. Please charge any additional fees required by this paper, or credit any overpayment, to Deposit Account No. 01-0035.

Applicant hereby petitions to claim the benefit of Application No. 60/325,994, filed October 1, 2001 and to claim the benefit of Application No. 60/311,792, filed August 13, 2001 under 35 USC 119(e) in Application No. 10/668,775, now U.S. Patent No. 7,130,697. In support of the Petition, applicant states:

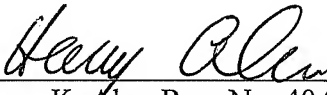
1. Applicant submits that the claim of benefit can properly be made of record at this time by means of a Certificate of Correction. Accordingly, submitted concurrently herewith is a Request for Certificate of Correction setting forth the proper claim of benefit.

2. The entire delay between the date the claim for the benefit of the prior-filed provisional applications was due under 37 C.F.R. § 1.78(a)(5)(ii) and the date that this claim is filed was unintentional.

Accordingly, applicant requests that the instant Petition be granted and that the proper claim of priority be made of record.

Respectfully submitted,

ABELMAN, FRAYNE & SCHWAB  
Attorneys for Applicant

  
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